



Ross Smith <rasa7777@gmail.com>

RE: records requests #1679

GOULD Diane * OGEC <Diane.GOULD@oregon.gov>
To: "rasa7777@gmail.com" <rasa7777@gmail.com>
Cc: DANIEL Kathy * OGEC <Kathy.DANIEL@oregon.gov>

Fri, Nov 20, 2015 at 8:09 AM

Dear Mr. Smith,

After further review by the Commission's legal counsel, a copy of the narrative portion of the original complaint in Case 15-256EDG, without redaction, is attached. The other document that was withheld pursuant to the exemption in ORS 192.501(3) continues to be exempt from disclosure because the Commission has been asked by the Oregon Department of Justice that it not be disclosed as it pertains to a specific and current criminal investigation.

Sincerely,

Diane Gould

Investigator

Oregon Government Ethics Commission

3218 Pringle Rd SE, Suite 220

Salem, OR 97302

Phone: [503-378-5105](tel:503-378-5105)

Fax: [503-373-1456](tel:503-373-1456)

From: Ross Smith II [mailto:rasa7777@gmail.com]

Sent: Thursday, November 19, 2015 11:15 AM

To: GOULD Diane * OGEC <Diane.GOULD@oregon.gov>

Cc: Rick Beasley <rickbeasley@newportnewstimes.com>; Andrew Theen <Atheen@oregonian.com>;
Friedman, Gordon <gfriedman2@salem.gannett.com>; BERSIN Ron A * OGEC <Ron.A.Bersin@oregon.gov>

Subject: RE: records requests #1679

Dear Ms. Gould,

Thank you for your response. I understand that you have withheld one document, pursuant to ORS 192.501(3), which states that documents can be withheld for:

Investigatory information compiled for criminal law purposes. The record of an arrest or the report of a crime shall be disclosed unless and only for so long as there is a clear need to delay disclosure the course of a specific investigation, including the need to protect the complaining party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or granted by statute, to disclosure or discovery in criminal cases. ... [emphasis added]

As it appears it's been almost 2 months now since OGEC and the Oregon Department of Justice was provided this withheld document, ORS 192.501(3) requires you to disclose it, unless OGEC can demonstrate a "clear need" to continue withholding it.

Therefore please disclose the document, or identify the "clear need," as required by ORS 192.501(3). If this is not possible, please indicate the government body or entity to submit a petition to review your denial to.

Thank you for your assistance.

Sincerely,

Ross Smith

541.996.6232

On Friday, November 13, 2015, GOULD Diane * OGEC <Diane.GOULD@oregon.gov> wrote:

Dear Mr. Smith,

Attached are copies of records in response to your records request in cases 15-256EDG and 15-249EDG.

- 1 – 15-256EDG narrative complaint without exhibits – this record contains redactions pursuant to ORS 192.502(10).
- 2 – 15-256EDG correspondence received from or sent to representatives of Lincoln City relating to the complaint - one record was withheld pursuant to ORS 192.501(3).
- 3 – 15-256EDG any notes or other documentation, related to phone calls from, or to, representatives of Lincoln City related to the complaint – no records responsive to this request.
- 4 – 15-249EDG exhibit to preliminary review report labelled #PR2
- 5 – 15-249EDG exhibit to preliminary review report labelled #PR2a

Diane Gould

Investigator

Oregon Government Ethics Commission

3218 Pringle Rd SE, Suite 220

Salem, OR 97302

Phone: 503-378-5105

Fax: 503-373-1456

From: Ross Smith II [mailto:rasa7777@gmail.com]
Sent: Friday, October 30, 2015 2:39 PM
To: GOULD Diane * OGEC <Diane.GOULD@oregon.gov>
Subject: Re: records requests

Dear Ms. Gould,

Thanks for the update, please consider this a "low priority" request.

Best,

Ross

On Fri, Oct 30, 2015 at 11:56 AM, GOULD Diane * OGEC <Diane.GOULD@oregon.gov> wrote:

Dear Mr. Smith,

The Commission received your request for records in cases 15-256EDG and 15-249EDG. We are working on gathering the records in response to your request and will be in further communication with you soon.

Sincerely,

Diane Gould, Investigator
Government Ethics Commission
3218 Pringle Rd SE, Suite 220
Salem, OR 97302
PH: 503-378-5105
FAX: 503-373-1456

10/26/2016

Gmail - RE: records requests #1679



15-256edg UNREDACTED complaint.pdf
960K